App. E. IX-4

1926.

File No. 234-26

Previous References (Courts)

Ho 161-26, (1-4)

~~Poll 105 (105-28~~ Poll 105-28 (16- PRESERVED

Serial Nos. 1

Later References

Ho 75-28 (1-2)

Poll 102-28 (1-7) Please

Poll 108-28, 1819.

(1-19-4 (1-15)

General and Revenue Secretariat.

128-37 (1-2).

~~Poll 228-39 (18-22)~~

Serial Nos. One

Part B for February 1927

SUBJECT

Proposals to hold a lottery to afford relief to the sufferers from the recent fire at the District Board Exhibition, Bangalore.

Gonap (1) 19-84 dy 23-2-27

To the Dy Comr Bangalore
.. Dist Bangalore
.. president Dist Bd
.. SP & Police
.. Bangalore
.. Regr Civil Court

Authority to the holding of a lottery as proposed.

Mamasamaiengar
4.3.27

G. R. S. III—11 1926

GENERAL AND REVENUE SECRETARIAT.

NOTES. No File No. 234-26

FILE HEADING.

Holding of a lottery to afford relief to the sufferers in the accidental fire in the Exhibition grounds Bangalore.

From

No.	Dated	Received

Diary No.	Enclos.	Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

NOTES—First Sheet.

WD 1881—GPE—30,000—1-8-21

2

27 5 y 26-27

Submitted to His Highness.

I submit herewith a letter received from the District Magistrate, Bangalore, regarding the occurrence of a serious fire in the Bangalore District Exhibition resulting in considerable loss of property. I visited the scene of occrrence this morning with the First Member of Council and have given necessary instructions to the District Magistrate and the President of the District Board as to the manner in which the situation may be dealt with generally.

The cause of the fire seems to be the firing of rockets by one of the men of the Imperial Service Lancers which dropping on some inflamable cotton material ignited it and spread the conflagration to the surrounding stalls containing cotton, silk and other articles and carpets.

It is not possible to estimate the amount of the loss. I have informed the Exhibition Authorities that it is desirable for them to have a proper inventory of articles exhibited and those that may be presumed to be destroyed.

According to Rule 8 of the Prospectus of the Exhibition it is stipulated that no responsibility for damages or loss however occurring will be accepted by the Committee in respect of the exhibits. The clause is comprehensive enough to cover a case of this kind but strictly speaking some compensation may have to be given in very hard cases without admitting any claim to compensation generally. I shall submit proposals on the subject as soon as more definite information is available as to the loss and cases requiring any special consideration.

I shall also cause a detailed enquiry to be made as to the responsibility for firing rockets in a somewhat reckless manner.

Bangalore,
28th Decr. 1926.

Mirza M. Ismail

Psk.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Occurrence of a serious fire in the Bangalore District Exhibition on the 27th December 1926.

552
28-12-26

2801L

Order.

~~KRM~~

29/12/26

WD 01229—GPB—37,500—1-9-26
App. F. III—2]

Serial No.

Draft calling for information on the points dealt with in the submission dtd from the President of the Bangalore Dist Board. Subd for appl.

9/1/27

Shan Uyne the draft as noted & the other draft to the Archt Engineer who seems to be the proper authority to be addressed in the matter of enquiry.

10/1/27

2 typed drafts are subd. for Consideration

7/1/27

L L Reid

Secretary.

7/1/27

Please put up with the file re lottery & file re future grant of Fair Exhibitions.

10/1/27.

10/1.

The connected files seem more authoritative to deal with.

9/1

The idea is to approach the Govt for sanction to hold a lottery for one lakh of Rupees on tickets of one Rupee each.

40000 to be given away in prizes
10000 for Expenses
50000 To relieve losses incurred in the Accidental Fire

All members are requested to give this proper attention

DEWAN'S MINUTE.

FILE No. 192 .

Refd with Compliments

I think that in the case of this unfortunate case, a lottery may be permitted, but — the Committee bungled so bad in the matter of fire protection &c that they deserve to obtain a formal suspension, & to direct that the accounts to be subject to Exam.

(2) It has also to be Examined whether under heads or procedure the Resident has to be informed. The Committee may Examine & seek separate sanction this power; as also to ascertain what precautions are for future guidance insisted on in Madras after fire.

L. d Secy

for a note

Lee
30/12/26.

Jm
30/12/26

Read
W.b. 30/12/26.
30/12/26

one looks upon with disfavour gambling & lottery not only because the course of money which is the fruit of labour is determined by chance, but also for encouraging the squandering of wealth & thus results in public misery. Moreover, lottery is a fraud on the public & is generally intended to induce people to part with their money with no return & to the advantage of the lottery-keeper.

When the advantage gained by lottery is not to the lottery-keeper but to a charitable purpose & when there is no widespread mischief by allowing as an exceptional case a single lottery, the Govt may authorize the holding of such a lottery.

In the present case the lottery is proposed to be held to give relief to the sufferers by destruction of their goods by fire, the Govt may authorize it.

There are Statutes in England which permit associations to run lotteries to help the works of fine arts & art unions. England raised a million & half sterling by lottery for the service of the war 1911.

Even in the Great war 1914 a scheme & attempts were made in England to issue Premium bonds as on the Continent. This scheme failed on the strong recommendations made by the Commissioners appointed to explore the possibilities for raising revenue.

The principles underlying the prohibition of gambling & lotteries are not violated to a great extent if the proceeds are intended to be used for laudable objects, & there seems to be no objection for the grant of permission.

In our State, there are two instances as far as I am aware where such permission was granted.

In 1894, permission was granted to late Gopalachar to hold a lottery in aid of Srinivasa Mandir.

In Jan 1925, permission was granted to the Consul to conduct a lottery in aid of St Marthas Hospital (vide file no 181 of 1924 pub dept).

In these cases no permission of Resident was sought.

Under the Treaty, no permission of Govt of India is required to be sought.

If afterwards the permission contemplated under Sec 294 A, I.P.C. is that of Govt of Mysore to save the lottery-keeper from prosecution.

It has also to be borne in mind that the authorization by Govt does not legalize the transaction in that it will still an illegal transaction subject to Section 30 & other provisions of the Indian Contract Act but exempts the persons holding lottery from prosecution under Sec 294 A I. P. C.

For these reasons I am of opinion that the Govt may authorize this lotte without reference to the Residency.

Dewan.

31.

WD 01225—GPB—37,500—1-9-26
App. F. III—2]

General and Revenue Secretariat

File No 236 of 192 6

Serial No.

a lakh ~~for~~ Rs 50,000 may be allowed.

Let this permission be applied.

Jm
1.1.27

NOTE Contn. Sheet

(6 10

DEWAN'S MINUTE. Special memo No. 114

FILE No. 192 . 2. 1. 27.

Secy L. L

With ref. to my note regarding the proposed Lottery at Bangalore, the Commuted figure (a lakh) may be approved.

M
1.1.27

81
21/27.

D. S. N is submitted.

Dewan
thro 2nd Mem.

81
3/1

11 Jan/27

Secretary Council

[illegible]

[illegible]
3/1

Submitted to His Highness.

The Committee of Management of the Bangalore District Exhibition have applied for permission of Government to hold a lottery in aid of the sufferers from the recent fire in the Exhibition grounds. It is proposed to raise a sum of Rs.1,00,000/- to be distributed as follows:-

Rs.10,000 for expenses,
" 40,000 for giving prizes, and
" 50,000 for relief of the sufferers from the fire.

Rs.1,00,000.

2. The Secretary, Local and Legislative Departments, is of opinion that we will not be violating the principles underlying the general prohibition of lotteries, when the proceeds are intended for the benefit of laudable objects as in the case under reference. Such permission was given in the past for lotteries in aid of the Srinivasa Mandiram, Bangalore City, in 1894 and more recently in aid of the St. Martha's Hospital in 1925.

3. Permission to hold lotteries should generally be refused except in very exceptional circumstances. Even in such exceptional cases it should always be a condition that no part of the amount collected should go to the benefit of the lottery keepers.

4. In the present case so many merchants and other gentlemen who came to help the Exhibition have suffered by an accidental fire in the Exhibition Grounds. It is but right that they should receive some compensation against their loss. The Exhibition Committee's proposal to hold a lottery for one lakh of rupees and utilise half the amount for compensating the sufferers and the other half for prizes and expenses seems worthy of consideration and may be graciously sanctioned as an exceptional case.

Mirza M. Ismail

Camp Shimoga,
6th January 1927.

S.N.

3146826
P

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Proposal to hold a lottery to afford relief to the sufferers from the recent fire at the District Board Exhibition, Bangalore.

Order.

KRM
13/1/27

13/1
17.1.27

17/1

WD 01225—GPB 37,500—1-9-26

General and Revenue Secretariat

File No 234 of 192 6.

Serial No.

Dft Secy)

Draft may be appd

1st Mem^r.

Cay
-1871
88
187/1

appd
JM
21.1.27

WD 01226—GPB—37,500—1-9-26

General and Revenue Secretariat

No File No 234 of 1926.

Serial No.

The file re. licence to permit Games of Skill re & the ongoing re- gambling - may be put up, as it is here. The other file referred to is not here

cag 13.1

Put with the file linked

Lt of Secy)

cag 15/1

Put up letter, file read & S

8 17.1 cag 17.1

Put with the file linked. Draft is also to be put up

Lt of Secy) 1st hand)

cag 18/1 18/1 cag 18/1

The Exhibition was run by the Dist Board. The new Dist Board takes over the assets & liabilities of the previous Board on 1st Oct.

Whether the lottery shd not be run by the Dist Board & not by the Committee & who will be the Dy Comm & one Mem of the Committee, Mr shd not be associated, & whether 1 lak is necessary in view of subsequent reports about amounts of loss have all to be considered; & may, if Govt approves, be informally discussed at next meeting of Council. Mr

In view of very temptations Secretary against this Committee

Dewan. Yr entries 19/1

Secy 19.1 cag

Note Contd. Sheet

5284

Secy 25/1/27 C. Rly 24 Nov 25/1/27 25/1/27 24/1

225/15 (1)

Extract from the Proceedings of the 791st *Meeting of the Council of His Highness the Maharaja, held at Bangalore on the* 16th January 1917 *19* .

P.W. Bungalow. - Clause xvii of the Schedule.

Certain proposals in connection with the holding of a lottery to afford relief to the sufferers from the recent fire at the Exhibition.

ORDER OF THE COUNCIL.

The lottery may be held under the auspices of the Civil & Military Board. The Deputy Commissioner of the Bangalore District will be co-opted and will be the Chairman of the Committee and one of the senior officers of the Comptroller's Office will also be associated with the Committee as a co-opted member. The amount of the lottery will be limited to Rs.50,000.

(Sd.) Mirza M. Ismail,
Dewan of Mysore.

"EXTRACT"

Chief Secretary to Government.

WD 1491—6-6-16—2,000—13-9-21

16

Submitted to His Highness.

In my Submission Note dated the 6th January 1927, I recommended sanction to the proposal of the Exhibition Committee to hold a lottery for one lakh of rupees and utilise half the amount for compensating the sufferers and the other half for prizes and expenses.

The First Member of Council considers it desirable to entrust the holding of the lottery to the District Board and appoint a committee with official representatives of status such as the Deputy Commissioner and a senior officer of the Comptroller's Office.

The matter was considered in Council who have resolved as follows:-

"The lottery may be held under the auspicies of the District Board. The Deputy Commissioner of the Bangalore District will be co-opted and will be the Chairman of the Committee and one of the senior officers of the Comptroller's Office will also be associated with the Committee as a co-opted member. The amount of the lottery will be limited to Rs.50,000".

The Deputy Commissioner estimates the losses at the most at Rs.30,000.

The Resolution of the Council may be graciously approved.

Bangalore,)
27th Jany.1927.)

Mirza M. Ismail

Pak.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Certain proposals in connection with the holding of a lottery to afford relief to the sufferers from the recent fire at the Exhibition.

Order.

General and Revenue
Secretariat

Certain proposals in connection with the holding of a Lottery to afford relief to the Sufferers from the recent fire at the Exhibition.

All urgent or confidential papers returned with His Highness' orders may, in the absence of instructions or indications to the contrary be ordinarily circulated to the Members of Council for perusal after the issue of orders.

The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

In all other cases, the files will first be circulated to the Members of Council at headquaters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Members of Council for perusal of His Highness' orders before /after issue of orders. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

Chief Secretary to Government.

Through the Secretary to Government,

.....Department.

FIRST MEMBER OF COUNCIL.

SECOND MEMBER OF COUNCIL.

EXTRA MEMBER OF COUNCIL.

Contn. sheet.

WD 01229—GPB—37,500—1-9-26
App. F. III—2]

neral and Revenue Secretariat

File No. 236 of 1926

Serial No.

Kind attention is invited to the Treasurer's minute in reverse and the [illegible] y [illegible] is given to [illegible]

Sd/- Secy Govt Board of Revenue

Pursuance thereof Draft submitted for approval before issue

Sd/- 7/2

Sd/- 8/2

DEWAN'S OFFICE
Dt. 17
6095

Sd/- 7/2

Sd/- 8/2

NOTE.—Contin. Sheet

General and Revenue Secretariat

No File No 236 of 1921.

Serial No.

May the Deputy go now?

Apl 1921

Yes as man has perused his draft. It may perhaps issue

I mentioned

100

50/2

21/2.

Put D

In this action as regards the prospective and assessment of damages to be taken in the Civil Court to which a copy of this to be sent. The file will be closed so far as this Branch is concerned

25/2

NOTE.—Contn. Sheet